

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

JOSE RIVERA

v.

CA No. 05-490S

UNITED STATES OF AMERICA

MEMORANDUM AND SCHEDULING ORDER

Jose Rivera (a/k/a Juan Pellerano) has filed a motion to vacate his sentence pursuant to 28 U.S. C. §2255.

Rivera is serving a sentence for possession of more than 50 grams of cocaine base with intent to distribute it in violation of 21 U.S.C. §841(a)(1) and (b)(1)(A)(iii).

In light of Rivera's allegations, this matter will be scheduled for an evidentiary hearing and counsel shall be appointed to represent Rivera at that hearing.

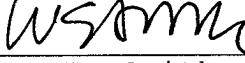
It is so ordered.

By Order:



Deputy Clerk

ENTER:



William E. Smith,
U.S. District Judge

Date: 2/3/09